

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA
CRIMINAL MINUTES**

Phoenix Division

CR 15 / 00707 / 1 PHX SRB DATE: 8-9-19

Year Case No. Dft #

U.S. DISTRICT JUDGE: SUSAN R. BOLTON

USA v. Kareem, Abdul Malik Abdul

Last Name First Name Middle Initial

DEFENDANT: X Present _ Not Present _ Released X Custody (**telephonically**)

Deputy Clerk: Maureen Williams Court Reporter Candy Potter

U.S Attorney: Joseph Koehler and Kristin Brook (both appearing telephonically)

Defense counsel: Daniel Maynard and Daniel Drake (both appearing telephonically) _
_ AFPD X Appointed Retained

Interpreter: _____ Language: _____

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PROCEEDINGS: X Open Court _ SEALED

10:02 a.m. This is the time set for Telephonic Conference held on the Court's own Motion re: Defendant's Motion for Evidentiary Hearing (Doc. 555). The Court advises counsel that the request for evidentiary hearing is appropriate limited to the circumstances surrounding the pole camera footage that was recently disclosed. The Court will also issue a writ for Defendant's appearance at said evidentiary hearing.

Discussion held regarding the date for Evidentiary Hearing. IT IS ORDERED granting Defendant's Motion (Doc. 555). IT IS FURTHER ORDERED setting Evidentiary Hearing on October 15, 2019, at 9:30 a.m. IT IS FURTHER ORDERED directing Government's counsel to notify the Court no later than August 30, 2019, whether the Government still has a conflict on October 1. If the Government's conflict has been resolved, the Court will reset the Evidentiary Hearing in this matter to October 1, 2019, at 9:30 a.m. All counsel are in agreement with the Court's proposal. IT IS FURTHER ORDERED directing counsel to meet within 10 days of this date to determine which witnesses will be needed at the evidentiary hearing. Government's counsel agrees to produce those witnesses voluntarily and without the necessity of a subpoena so long as that witness is still employed by the Government.

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Defense counsel's request to remand the entire case from the 9th Circuit Court of Appeals is discussed and is denied. The 9th Circuit Court of Appeals stayed the appeal and entered a limited remand to the district court in order to resolve Defendant's Motion for New Trial. Per the 9th Circuit Court of Appeals' Order, counsel may file a status report and motion for further relief regarding the appeal.

10:20 a.m. Court is adjourned.